

## Caging the Devils: The Stateless Society and Violent Crime by Stefan Molyneux

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After Lew was kind enough to publish [The Stateless Society](#), I received many emails asking the same question: *how can violent criminals be dealt with in the absence of a centralized government?*

This is a challenging question, which can be answered in three parts. The first is to examine how such criminals are dealt with at present; the second is to divide violent crimes into crimes of *motive* and crimes of *passion*, and the third is to show how a stateless society would deal with both categories of crime far better than any existing system.

Thus the first question is: *how are violent criminals dealt with at present?* The honest answer, to any unbiased observer is surely: *they are encouraged*.

A basic fact of life is that people respond to incentives. The better that crime pays, the more people will become criminals. Certain well-known habits – drugs, gambling, prostitution in particular – are non-violent in nature, but highly desired by certain segments of the population. If these non-violent behaviours are criminalized, the profit gained by providing these services rises. Illegality destroys all stabilizing social forces (contracts, open activity, knowledge sharing and mediation), and so violence becomes the norm for dispute resolution.

Furthermore, wherever a legal situation exists where most criminals make more money than the police, the police are simply bribed into compliance. Thus by increasing the profits of non-violent activities, the State ensures the corruption of the police and judicial system – thus making it both safer and more profitable to operate outside the law! It can take dozens of arrests to actually face trial – and many trials to gain convictions. Policemen now spend about a third of their time filling out paperwork – and 90% of their time chasing non-violent criminals. Entire sections of certain cities are run by gangs of thugs, and the jails are overflowing with harmless low-level peons sent to jail as make-work for the judicial system – thus constantly increasing law-enforcement budgets. Peaceful citizens are legally disarmed through gun control laws. In this manner, the modern State literally creates, protects and profits from violent criminals.

Thus the standard to compare the stateless society's response to violent crime is not some perfect world where thugs are effectively dealt with, but rather the current mess where violence is both encouraged and protected.

Before we turn to how a stateless society deals with crime, however, it is essential to remember that the stateless society automatically eliminates the greatest violence faced by almost all of us – the State that threatens us with guns if we don't hand over our money – and our lives, should it decide to declare war. Thus it cannot be said that the existing system is one which minimizes violence. Quite the contrary – the honest population is violently enslaved by the State, and the dishonest provided with cash incentives and protection.

State violence – in its many forms – has been growing in Western societies over the past fifty years, as regulation, tariffs and taxation have risen exponentially. National debts are an obvious form of intergenerational theft. Support of foreign governments also increases violence, since these governments use subsidies to buy arms and further terrorize their own populations. The arms market is also funded and controlled by governments. The list of State crimes can go on and on, but one last gulag is worth mentioning – all the millions of poor souls kidnapped and held hostage in prisons for non-violent 'crimes'.

Since existing States terrorize, enslave and incarcerate literally *billions* of citizens, it is hard to understand how they can be seen as effectively working ‘against’ violence in any form.

So, how does the stateless society deal with violence? First, it is important to differentiate the use of force into crimes of *motive* and crimes of *passion*. Crimes of *motive* are open to correction through changing incentives; any system which reduces the profits of property crimes – while increasing the profits of honest labor – will reduce these crimes. In the last part of this essay, we will see how the stateless society achieves this better than any other option.

Crimes of motive can be diminished by making crime a low-profit activity relative to working for a living. Crime entails labour, and if most people could make more money working honestly for the same amount of labour, there will be far fewer criminals.

Those who have read [my explanation of dispute resolution organizations](#) (DROs) know that stateless societies flourish through the creation of voluntary contracts between interested parties, and that all property is private. How does this affect violent crime?

Well, let’s look at ‘break and enter’. If I own a house, I will probably take out insurance against theft. Obviously, my insurance company benefits most from *preventing* theft, and so will encourage me to get an alarm system and so on, just as occurs now.

This situation is more or less analogous to what happens now – with the not-inconsequential adjustment that, since DROs handle *policing* as well as *restitution*, their motive for preventing theft or rendering stolen property useless is higher than it is now. As such, much more investment in prevention would be worthwhile, such as creating ‘voice activated’ appliances which only work for their owners.

However, the stateless society goes much, much further in preventing crime – specifically, by *identifying those who are going to become criminals*. In this situation, the stateless society is far more effective than any State system.

In a stateless society, contracts with DROs are required to maintain any sort of economic life – without DRO representation, citizens are unable to get a job, hire employees, rent a car, buy a house or send their children to school. Any DRO will naturally ensure that its contracts include penalties for violent crimes – so if you steal a car, your DRO has the right to use force against you to get the car back – and probably retrieve financial penalties to boot.

How does this work in practice? Let’s take a test case. Say that you wake up one morning and decide to become a thief. Well, the first thing you have to do is cancel your coverage with your DRO, so that your DRO cannot act against you when you steal. DROs would have clauses allowing you to cancel your coverage, just as insurance companies have now. Thus you would have to notify your DRO that you were dropping coverage. No problem, you’re off their list.

However, DROs as a *whole* really need to keep track of people who have opted out of the entire DRO system, since those people have clearly signaled their intention to go rogue, to live off the grid, and commit crimes. Thus if you cancel your DRO insurance, your name goes into a database available to all DROs. If you sign up with another DRO, no problem, your name is taken out. However, if you do not sign up with *any other* DRO, red flags pop up all over the system.

What happens then? Remember – there is no public property in the stateless society. If you’ve gone rogue, where are you going to go? You can’t take a bus – bus companies won’t take rogues, because *their* DRO

will require that they take only DRO-covered passengers, in case of injury or altercation. Want to fill up on gas? No luck, for the same reason. You can try hitchhiking, of course, which might work, but what happens when you get to your destination and try and rent a hotel room? No DRO card, no luck. Want to sleep in the park? Parks are privately owned, so keep moving. Getting hungry? No groceries, no restaurants – no food! What are you going to do?

Obviously, those without DRO representation are going to find it very hard to get around or find anything to eat. But let's go even further and imagine that, as a rogue, you are somehow able to survive long enough to start trying to steal from people's houses.

Well, the first thing that DROs are going to do is give a reward to anyone who spots you and reports your position (in fact, there will be companies which specialize in just this sort of service). As you walk down a street on your way to rob a house, someone sees you and calls you in. The DRO immediately notifies the street owner (remember, no public property!) who boots you off his street. Are you going to resist the street owner? *His* DRO will fully support his right to use force to protect his property or life.

So you have to get off the street. Where do you go? All the local street owners have been notified of your presence, and refuse you entrance. You can't go anywhere without trespassing. You are a pariah. No one will help you, or give you food, or shelter you – because if they do, their DRO will boot them or raise their rates, and their name will be entered into a database of people who help rogues. There is literally *no place to turn*.

So, really, what incentive is there to turn to a life of crime? Working for a living – and being protected by a DRO – pays really well. Going off the grid and becoming a rogue pits the entire weight of the combined DRO system against you – and, even if you *do* manage to survive their scrutiny and steal something, it has probably been voice-encoded or protected in some other manner against unauthorized re-use. But let's suppose that you somehow bypass all of *that*, and do manage to steal, where are you going to sell your stolen goods? You're not protected by a DRO, so who will buy from you, knowing they have no recourse if something goes wrong? And besides, anyone who interacts with you will get a substantial reward for reporting your location – and, if they deal with you, will be dropped from the DRO system.

Will there be underground markets? No – where would they operate? People need a place to live, cars to rent, clothes to buy, groceries to eat. No DRO means no participation in economic life.

Thus it is fair to say that any stateless society will do a *far* better job of protecting its citizens against crimes of *motive* – what, then, about crimes of *passion*?

Crimes of passion are harder to prevent – but also present far less of a threat to those outside of the circle in which they occur.

So, let's say a man kills his wife. They are both covered by DROs, of course, and their DRO contracts would include specific prohibitions against murder. Thus the man would be subject to all the sanctions involved in his contract – probably forced labour until a certain financial penalty was paid off, since DROs would be responsible for paying financial penalties to any next of kin.

Fine, you say, but what if either the man or woman was *not* covered by a DRO? Well, where would they live? No one would rent them an apartment. If they own their house free and clear, who would sell them food? Or gas? Who would employ them? What bank would accept their money? The penalties for opting out of the DRO system are almost infinite, and it is safe to say that it would be next to impossible to survive without a DRO.

But let's say that only the murderous husband – planning to kill his wife – opted out of *his* DRO system without telling her. Well, the first thing that his wife's DRO system would do is inform her of her husband's action – and the ill intent it may represent – and help relocate her if desired. If she decided against relocation, her DRO would promptly drop her, since by deciding to live in close proximity with a rogue man, she was exposing herself to an untenable amount of danger (and so the DRO to a high risk for financial loss!). Now both the husband and wife have chosen to live without DROs, in a state of nature, and thus face all the insurmountable problems of getting food, shelter, money and so on.

Now let's look at something slightly more complicated – stalking. A woman becomes obsessed with a man, and starts calling him at all hours and following him around. Perhaps boils a bunny or two. Well, if the man has bought insurance against stalking, his DRO leaps into action. It calls the woman's DRO, which says: stop stalking this man or we'll drop you. And how does *her* DRO know whether she has really given up her stalking? The man stops reporting it. And if there is a dispute, she just wears an ankle bracelet for a while to make sure. And remember – since there is no public property, she can be ordered off any property such as sidewalks, streets and parks.

(And if the man has not bought insurance against stalking, no problem – it will just be more expensive to buy with a 'pre-existing condition'!)

Although they may seem unfamiliar to you, DROs are not a new concept – they are as ancient as civilization itself, but have been shouldered aside by the constant escalation of State power over the last century or so. In the past, desired social behaviour was punished through ostracism, and risks ameliorated through voluntary 'friendly societies'. A man who left his wife and children – or a woman who got pregnant out of wedlock – was no longer welcome in decent society. DROs take these concepts one step further, by making all the information formerly known by the local community available to the world as whole, just as credit reports do. There are really no limits to the benefits that DROs can confer upon a free society – insurance could be created for such things as:

- a man's wife giving birth to a child that is not his own
- a daughter getting pregnant out of wedlock
- fertility problems for a married couple
- ...and much more.

All of the above insurance policies would require DROs to take active steps to prevent such behaviours – the mind boggles at all the preventative steps that could be taken! The important thing to remember is that all such contracts are *voluntary*, and so do not violate the moral absolute of non-violence.

So in conclusion – how does the stateless society deal with violent criminals? Brilliantly! In a stateless society, there are fewer criminals, more prevention, greater sanctions – and instant forewarning of those aiming at a life of crime by their withdrawal from the DRO system. More incentives to work, fewer incentives for a life of crime, no place to hide for rogues, and general social rejection of those who decide to operate outside of the civilized worlds of contract, mutual protection and general security. And remember – States in the 20th century caused more than 170 million deaths – are we really that worried about hold-ups and jewelry thefts in the face of *those* kinds of numbers?

There is no system that will replace faulty men with perfect angels, but the stateless society, by rewarding goodness and punishing evil, will at least ensure that all devils are visible – instead of cloaking them in the current deadly fog of power, politics and propaganda.

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